IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL NO. 3:03ev00244

DIRECTV, INC.,)	
Plaintiff,)	
vs.)	ORDER
SAM SCHARDER,)	
Defendant.)))	

THIS MATTER is before the Court on the *pro se* Defendant's letter dated August 28, 2006. (Doc. No. 88). Defendant's letter generally requests this Court to "Vacate the Default Judgment." This Court has reviewed the contents of Defendant's letter and hereby instructs Defendant to prepare an Affidavit stating, under oath, the facts and circumstances surrounding his failure to respond to the Complaint. Defendant must have the Affidavit notarized and shall attach all supporting documents, including medical records, to demonstrate excusable neglect and mistake as generally alleged in his letter of August 28, 2006. Defendant is instructed to file this Affidavit and supporting documents within thirty (30) days from the date of this Order.

IT IS, THEREFORE, ORDERED that on or before September 28, 2006, Defendant shall file with this Court an Affidavit to support his "Motion to Vacate the Default Judgment."

Signed: August 29, 2006

Frank D. Whitney

United States District Judge